



MISSOURI DEPARTMENT OF NATURAL RESOURCES

P.O. Box 1368 Jefferson City, Missouri 65102 (314) 751-3241

August 11, 1981

Mr. James K. Dow, P.E.
Facility Manager
Litton Advanced Circuitry
P.O. Box 2847, Commercial Station
Springfield, MO 65803

Dear Mr. Dow:

This letter is a follow up to Mr. Robert M. Robinson's letter to you dated May 25, 1981 concerning a variance application.

As Mr. Robinson indicated the commission was in the process of revising the regulations concerning surface impoundments. On July 13, 1981 the new regulations became effective. Enclosed please find a copy of page 764 of the July 1, 1981 Missouri Register. The July 1, 1981 Missouri Register, in its entirety, can be ordered by calling 314-751-4015. These new regulations eliminate the January 1, 1982 deadline, and essentially require that you have obtained interim status with EPA for your hazardous waste facility. As outlined in 10 CSR 25-7.011(1)(D) the requirements for state interim status are; a copy of your Part A which you submitted to EPA and a copy of EPA's varification notice. Once the facility has achieved state interim status it must comply with the appropriate regulations specified in 40 CFR Part 265 and 10 CSR 25-7.010(1)(D)4 and 5.

Under the new regulations there is no need to pursue the variance since the January 1, 1982 deadline is no longer applicable. However, I would urge you to obtain state interim status as soon as possible.

I would advise you to contact Dennis Degner at EPA Region VII concerning the interim status regulation for closure of the surface impoundment. The telephone number is 816-374-6864.

If you have any questions or if I can be of any further assistance, please contact me at this office.

Sincerely,

Joe Jansen
Environmental Engineer
Technical Services Section
Solid Waste Management Program

JJ:gh

Enclosure

cc: Mr. Dennis Degner, EPA Region VII
Springfield Regional Office

Christopher S. Bond Governor
Fred A. Lafser Director

Division of Environmental Quality
Robert J. Schreiber Jr., P.E. Director



R00337266
RCRA RECORDS CENTER

AUG 18 1981

File MO0007152903

8/31/81

~~Send~~
R. L. Stewart

Please contact
I discuss as
noted below.
Please prepare
a short letter for
your sign & transmit to
Mr. Dow. Thanks
~~Send~~

Orders of Rulemaking

10 CSR 25-7.011 General Rules Applicable to all Hazardous Waste Facilities

PURPOSE: This rule establishes general standards and requirements for the owner(s) or operator(s) of a hazardous waste management facility. Specific rules for each type of facility are set forth in 10 CSR 25-7.020 through 10 CSR 25-7.070.

Editor's Note: The secretary of state has determined that the publication of this section in its entirety would be unduly cumbersome or expensive. The entire text of the section has been filed with the secretary of state and summarized here by the agency adopting it. The owner or operator of a hazardous waste treatment, storage or disposal facility is required to maintain financial assurance for the closure, and if applicable the post-closure care of his facility, through various mechanism. This includes liability insurance for any accidents. Four different mechanisms are provided for financial assurance. The entire text of the section may be found at the headquarters of the agency and is available to any interested person at a cost not more than the actual cost of reproduction.

(1) General Applicability.

(A) The standards in this rule apply to operators of all facilities which treat, store, or dispose of hazardous waste, except as specifically provided otherwise in this chapter or in 10 CSR 25-4.010.

(B) A permit is not required under this rule for—

1. A Publicly Owned Treatment Works (POTW), if the waste accepted meets federal, state and local pretreatment requirements; and the operator obtains a department identification number and complies with 10 CSR 25-7.011(6)(A), (B)1. and 2., and (C) for waste received by means other than sewers; and

2. An elementary neutralization or wastewater treatment unit if the operator complies with 40 CFR Part 266, Subpart B and 40 CFR 122.26(d)(2).

(C) The requirements of this rule do not apply to—

1. The operator of a facility permitted, licensed, or registered by the state to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores, or disposes of is excluded from regulation under this rule by 10 CSR 25-4.010(6)(D)1.;

2. The operator of a facility certified by the department for resource recovery provided the facility does not accept any hazardous waste which is a sludge or which is listed in 10 CSR 25-4.010(6)(G), (H), or (I), or which contains one (1) or more hazardous wastes listed in 10 CSR 25-4.010(6) (G), (H), or (I);

3. A generator accumulating waste on-site in compliance with 10 CSR 25-7.050(2);

4. A farmer disposing of waste pesticides from his own use in compliance with 10 CSR 25-5.010(11); or

5. The operator of a totally enclosed treatment facility, as defined in 10 CSR 25-3.010.

(D) State Interim Status.

1. Interim status is authorization to operate a hazardous waste management facility until final administrative disposition of the permit application is made.

2. Operators of surface impoundments, waste piles, on-site treatment, storage, and disposal facilities, [and facilities which must comply with 10 CSR 25-7.050(4)(D)] that have achieved federal interim status or the equivalent may submit proof of that status. Upon receipt of such proof, the department will issue notice of state interim status for the facility. The required proof is—

A. A copy of Part A of the federal permit application submitted to the Environmental Protection Agency as required by the Resource Conservation and Recovery Act; and

B. A copy of the verification notice issued by the Environmental Protection Agency indicating that the facility has achieved interim status or the equivalent.

3. A facility that is operating under state interim status must comply with the appropriate regulations specified in 40 CFR Part 265 and paragraphs (1)(D)4. and 5. of this rule in lieu of other regulations of 10 CSR 25-7.

4. Within ninety (90) days of written notice from the department, the operator of a facility with state interim status must submit a permit application for the facility as specified in 10 CSR 25-7.011(2).

5. State interim status shall end when—

A. Final administrative disposition of the permit application has been made by the department;

B. The operator fails to submit the permit application as required by paragraph (1)(D)4. of this rule; or

C. It is determined by the department that the facility is in substantial non-compliance with the provisions of paragraph (1)(D)3. of this rule.

(E) Imminent hazard action. Notwithstanding any other provisions of these regulations, enforcement actions may be brought pursuant to sections 260.410 and 260.420, RSMo (1978).

(2) Permit Procedures and Conditions

(A) The regulations in this section apply to all owners and operators of hazardous waste facilities, except as